REMARKS

Status of the Application

Claims 1-40 were in the application. Claims 11, 15-40 have been cancelled in view of the Examiner's restriction requirement. Claim 1 was amended in response to the final office action but in the advisory action, the Examiner refused to enter the amendment for the reason that limiting the energy to "thermal" energy would require a new search and further consideration. Claim 1 submitted herewith has been amended to "consisting of thermal energy". Claims 2-10 and 12 - 14 remain in the application and either are original claims or previously presented claims. Claim 41 has been added to include an additional step of providing energy consisting of thermal energy to the coating layer after removal of the backing foil.

Election/Restriction Requirement

In view of the restriction requirement, Applicants elect to prosecute claims 1 – 14 and 41 and will file a divisional application to the remaining claims 15-40. Inventorship for the elected claims is correct.

A species identification was requested in the final office action. Applicants elected claim 7, i.e., the binder cross-linkable by a condensation reaction. Claim 1 is readable thereon.

Obviousness Claim Rejections under 35 USC 103

Claims 1-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman et al. US Patent 5,891,292 taken in view of Negele US Patent 6,221,439. Goodman was said to teach a thermosetting polymer network coating on an inherently removal backing in a partially cured state to be applied on a surface and cured in place using radiation and post heat treatment. The Examiner recognized that Goodman failed to teach supplying thermal energy to cure a coating. Negele was held to teach the use of heat or IR as a cure method for coated films applied to a substrate and that it would have been obvious use the heat cure of Negele in the process.

Goodman '292 is directed to radiation curable polymer network materials whereas applicants' invention is directed to a process for coating automotive

substrates, body parts and body fittings. The claims as amended are directed to such a process. Further, Goodman uses dual curing for his materials with the primary curing being done with UV light or electron beam radiation. Neither is used in applicants' process, which is directed to the use of thermal energy to cure the coating layer that is applied to a substrate with a backing layer. The amended claims are directed to only the use of thermal energy for curing and do not include UV light or electron bean radiation curing as is required by Goodman. Secondary thermal curing with Goodman '292 is an optional post treatment but not the primary treatment which is require in applicants novel process. Applicants' amended claims are clearly directed to thermal curing and not UV or electron beam curing.

The compositions utilized by Goodman '292 require photointiators to implement UV or electron beam curing. Applicants do not use or require the presence of photoinitiators. The Examiner recognizes that the thermal curing aspect of applicants' novel process for application of a coating layer attached to backing layer as set forth in the amended claims is not taught by Goodman '292.

Goodman '292 was combined with Negele '439 on the basis that Negele '439 teaches the use of heat or IR cure for coating films applied to three dimensional substrates. Negele '439 is mentioned in the background of the invention in applicants' specification as a typical coating foil that requires an adhesive layer. Applicants do not utilize or require an adhesive layer in their process for applying a coating layer to a substrate and the claims have been amended to the use of a backing foil that consists of a foil and a thermal curable coating. Applicants specifically disclaim the use of an additional adhesive layer on the foil in their process.

Negele '439 also teaches that the coated films that are applied use dual cure materials, i.e., materials that require curing by a combination of thermal and radiation curing. Radiation curing does not fully cure the materials of Negele '439 and the material after application remains thermoplastic and workable. This thermoplastic film is place on the surface of a shaped substrate and bonded to the substrate via an adhesive layer (not used in applicants' process). Negele's thermoplastic film is then cured thermally to form a fully cured film. This is not the process set forth in applicants' amended claims as submitted herewith wherein the curing is directed only to thermal curing.

Even if Goodman '292 and Negele '439 are combined as suggested by the Examiner but not by these references, Applicants' process would not result. Both Goodman '292 and Negele '439 require dual cure of radiation and subsequent thermal curing. Applicants do not use radiation curing but only thermal curing. Goodman '292 uses an adhesive layer, which applicants do not have or want. Negele '439 uses spray application of coating whereas applicants apply a coating attached to a backing layer to a substrate. These references alone or in combination simply do not teach or suggest all of the aspects of applicants' invention as set forth in the amended claims and the rejection based on these references should be withdrawn and the claims as submitted herewith allowed.

Newly submitted claim 41 in which additional thermal energy is supplied to the coating composition on the substrate after removal of the backing layer is not taught or suggested by any of the cited references and clearly is allowable.

SUMMARY

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. In order to expedite disposition of this case, the Examiner is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Should there be a fee due which is not accounted for, please charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

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